

MEMO ENDORSED

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January 24, 2020

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VIA ECF

The Honorable Katherine Polk Failla
U.S. District Court, Southern District of New York
Thurgood Marshall United States Courthouse, Courtroom 618
40 Foley Square
New York, NY 10007

Re: *True Spec Golf LLC, et al. v. Club Champion LLC*, No. 19-cv-633-KPF (S.D.N.Y.)

Dear Judge Failla:

This firm represents Plaintiff True Spec Golf LLC (“True Spec”) and its wholly-owned subsidiary Plaintiff Club-Conex LLC (“Club-Conex” and, together with True Spec, “Plaintiffs”) in the above-referenced action, which is an action for patent infringement under the laws of the United States, including, but not limited to, 35 U.S.C. § 271.

Plaintiffs have submitted to the Court, by email on January 24, 2019, their response to Defendant Club Champion’s letter motion requesting an informal conference and entry of a Protective Order (“Plaintiffs’ Response”) with supporting documents, and moves pursuant to Fed. R. Civ. P. 26(c), Rules 9(B)-(C) of Your Honor’s Individual Rules of Practice, and the rules of this Court, seeking permission to seal limited portions of Plaintiffs’ Response and certain documents filed in support.

Plaintiffs’ Response contains excerpts of the deposition transcript of Mr. Nick Sherburne. At the deposition, Club Champion designated Mr. Sherburne’s deposition transcript as “CONFIDENTIAL – ATTORNEYS’ EYES ONLY.” Three of the documents filed in support are production cover letters, which contain the FTP link and credentials to download certain of Club Champion’s productions. These productions contain material Club Champion designated as confidential.

Because these materials contain information that Club Champion contends are confidential to them, Plaintiffs are filing limited portions of Plaintiffs’ Response and the three production cover letters under seal to give Club Champion the opportunity to state what, if anything, it requests to remain sealed.

Pursuant to Your Honor’s Individual Rule of Practice 9(C)(i), a redacted version of the documents below were filed on ECF:

- Plaintiffs’ Letter in Response to Defendant Club Champion’s letter motion requesting an informal conference and entry of a Protective Order, which contains excerpts of the deposition transcript of Mr. Nick Sherburne. Club Champion designated Mr. Sherburne’s deposition transcript as “CONFIDENTIAL – ATTORNEYS’ EYES ONLY.”
- Exhibits 7-9 to the Declaration of Gregory T. Chuebon are production cover letters, which contain the FTP link and credentials to download certain of Club Champion’s productions. These productions contain material that Club Champion designated as confidential.

Pursuant to Your Honor's Individual Rule of Practice 9(C)(iii), Plaintiffs will email to Chambers a clean copy of these documents and a copy of these documents highlighting the information that has been redacted in the ECF filing.

Respectfully submitted,

/s/ Gregory T. Chuebon

Gregory T. Chuebon

cc: All counsel via ECF

Application GRANTED.

Dated: January 27, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE